

Docket No. 030296

Serial No. 10/658,300

REMARKS/ARGUMENTS

The Office action dated September 9, 2005 has been carefully considered. Reconsideration of this application as amended is respectfully requested. Claims 1-13 remain active in this application. Claim 1 has been amended in order to further define the invention. Further, claim 12 has been amended in order to address an insufficient antecedent basis objection.

The rejection of claims 1-3 and 10-13 under 35 U.S.C. §102(b) as being anticipated by Studer et al. (US 4,321,572) is respectfully traversed.

Claim 1 now recites "a motor having a hollow shaft extending there through and being capable of rotation, said shaft being further capable of allowing electrical signals to pass there through. It is submitted that this amendment is fully supported by the specification and drawings.

The language of claim 1 is submitted as defining subject matter that is patentably distinguishable over the Studer et al. reference. Even without the foregoing amendment, the Studer reference fails to teach an antenna horn. Rather, the Studer reference only shows a parabolic antenna 16 in its figure 1. Further, the Studer reference fails to teach or suggest a motor having a hollow shaft extending there through and being capable of rotation as is now recited in claim 1. This language serves to further structurally distinguish the foregoing invention, as recited in claim 1, from Studer et al. and it highlight its space-saving features. Moreover, Studer et al. fail to teach or suggest a shaft capable of allowing electrical signals to pass there through. There is no electrical conductor, signal path, etc. shown in the Studer reference. This is additionally bolstered by the fact that the shaft (i.e., 98) in Studer ('572), is not hollow, thus, capping a signal path. Note the solid lines extending across diameter portion 100 and hub 52, shown in Studer's figures 4 and 5, indicating a solid, not hollow, structure.

Claims 2-3 and 10-13 are dependent from claim 1 and merely recite limitations in addition thereto. Consequently, these claims are patentably distinct from that disclosed by Studer et al.

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The rejection of claims 4-6 & 9 under 35 U.S.C. 103(a) as being unpatentable over Studer in view of Kumasaka et al. (US 2002/0034152) is respectfully traversed.

As has always been maintained, Kumasaka is directed to non-analogous art. This fact is evident from the title of this published patent application. However, regardless, it is submitted that the foregoing amendment to claim 1 certainly distinguishes any combination of Studer with Kumasaka, from applicants invention as recited in claims 2-3 and 10-13. Kumasaka fails to teach the limitations enumerated above; namely, an antenna horn together with a hollow shaft extending there through capable of allowing electrical signals to pass there through. For this reason it is submitted that Studer with Kumasaka fails to teach suggest or make obvious applicants invention as now recited in claims 2-3 and 10-13 which include the newly added limitations to claim 1.

The rejection of claims 7 and 8 under 35 U.S.C. 103(a) as being anticipated by Studer et al. in view of Belyanskii et al. is respectfully traversed. As noted previously, claim 1 defines an on-axis motor shaft orientation as opposed to the off-axis motor shaft orientation of Beljanskij together with its attendant problems as described in paragraph 0005 of applicants' specification. The vertical axis of the stator about which motion occurs in the vertical plane is offset from the axis of the antenna shown in the drawings of Beljanskij et al. Further, the axis of the stator of the second torque motor lies in, rather than extends through the plane of motion of the antenna. As it is pointed out at paragraph 0022 of applicants' specification, the invention frees space specifically on the circuit board for other components. Generally, space is considered at a premium, particularly for antennas on base station towers. Consequently, the space saving offered by the apparatus as claimed is very advantageous. Studer's lack of a hollow shaft, or rather a capped shaft which fails to extend through the motor fails to allow any meaningful combination with Belyanskii that would in any way teach, suggest or make obvious applicants invention as recited in claims 7 and 8. For this reason, claims 7 and 8 are submitted as being patentably distinguishable over Studer in view of Belyanskii et al.

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The objections to claims 1 and 12 are submitted as having been overcome in view of the amendments to claims 1 and 12 as suggested with respect to these objections in the Office action.

In view of the foregoing amendment, it is respectfully submitted that this application is in a condition for allowance. Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

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Respectfully submitted,

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